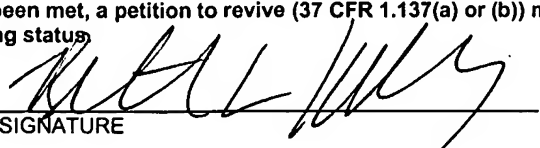


TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 023070-129910US U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/539868</div>
INTERNATIONAL APPLICATION NO. PCT/US2004/001153	INTERNATIONAL FILING DATE January 15, 2004	PRIORITY DATE CLAIMED January 15, 2003
TITLE OF INVENTION <div style="text-align: center;">AMPLIFIED AND OVEREXPRESSED GENE IN COLORECTAL CANCERS</div>		
APPLICANT(S) FOR DO/EO/US <div style="text-align: center;">SLAMON, Dennis, J.; ANDERSON, Lee, A.; GINTHER, Charles, L.</div>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <div style="margin-left: 40px;"> Express Mail No.: EV 566971557 US International Publication WO 2004/064601A2 PCT/IB/308; PCT/IB/371; PCT/IB/370; PCT/IB/301; PCT/IB/304; PCT/RO/105 </div> 		

U.S. APPLICATION NO. (if known, see 37 CFR 1.9) 10/539868 To Be Assigned		INTERNATIONAL APPLICATION NO. PCT/US2004/001153		ATTORNEY'S DOCKET NUMBER 023070-129910US		
The following fees have been submitted:				CALCULATIONS PTO USE ONLY		
21. <input checked="" type="checkbox"/> Basic national fee \$300				\$ 300.00		
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200				\$200.00		
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500				\$ 100.00		
TOTAL OF 21, 22 and 23 =				\$ 600.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE			
- 100 =	/50 =		x \$250	\$		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	31 - 20 =	11	x \$ 50	\$ 550.00		
Independent claims	7 - 3 =	4	x \$200	\$ 800.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$		
TOTAL OF ABOVE CALCULATIONS =				\$ 1950.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$ 975.00		
SUBTOTAL =				\$ 975.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$	
TOTAL NATIONAL FEE =				\$ 975.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$	
TOTAL FEES ENCLOSED =				\$ 975.00		
				Amount to be refunded:	\$	
				Amount to be charged:	\$ 975.00	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>20-1430</u> in the amount of \$ <u>975.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO: Beth L. Kelly Townsend and Townsend and Crew LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111						
				 SIGNATURE		
				Beth L. Kelly NAME	6/16/2005 Date	
				51,868 REGISTRATION NUMBER		